

## LIMITED IN-PERSON ATTENDANCE PERMITTED

*Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a “first-come” basis.*

*Additionally, to ensure the meeting otherwise remains open to the public, we will continue to broadcast it live on the County’s YouTube channel, which can be found via the County’s website at [Oconeesc.com](http://Oconeesc.com). Further, the public may call in and listen by dialing **888-475-4499 OR 877-853-5257** and entering meeting ID # **891 1051 4561**. And, individuals parked in close proximity to Council Chambers may listen to the meeting on FM 92.3.*



# UPDATED AGENDA

## OCONEE COUNTY COUNCIL MEETING

**September 1, 2020**

**6:00 PM**

Council Chambers, Oconee County Administrative Offices  
415 South Pine Street, Walhalla, SC

### Call to Order

### Public Comment Session

*[Limited to a total of forty (40) minutes, four (4) minutes per person.]*

*If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record.*

### Council Member Comments

### Moment of Silence

### Invocation by County Council Chaplain

### Pledge of Allegiance to the Flag of the United States of America

### Approval of Minutes

- August 18, 2020 Regular Minutes

### Administrator Comments

### Attorney Comments

### Proclamation 2020-07

- **Proclamation 2020-07** Honoring Mr. Reginald “Reg” Thomas Dexter, Oconee County

#### COUNCIL MEMBERS

Julian Davis, III, Chairman, District IV    Paul Cain, Vice-Chair, District III  
John Elliott, Chair Pro Tem, District I    Wayne McCall, District II  
Glenn Hart, District V

**Public Hearings for the Following Ordinances**

*[None Scheduled]*

**Third Reading of the Following Ordinances**

*[None Scheduled]*

**Second Reading of the Following Ordinances**

*[None Scheduled]*

**First Reading of the Following Ordinances**

**Ordinance 2020-15** “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE CURRENT ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, AS PREVIOUSLY ASSIGNED AND RATIFIED BY ORDINANCE 2019-15 DATED MAY 21, 2019, SUCH CURRENT ASSIGNMENT FROM PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND SUCH CURRENT ASSUMPTION BY DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, AND CONFIRMED BY ITECH BUYER, LLC AS A CONTINUING CO-SPONSOR, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH CURRENT ASSIGNMENT AND ASSUMPTION AND CURRENT CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2020-16** “AN ORDINANCE AMENDING THE OCONEE COUNTY CONSERVATION BANK ORDINANCE, O.C. CODE SECTIONS 2-398 THROUGH 2-409.”

**Ordinance 2020-17** “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO.”

**Ordinance 2020-18 [Title Only]** “AN ORDINANCE TO AMEND ORDINANCE 2020-01 THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021.”

**First & Final Reading for the Following Resolutions**

**Resolution 2020-07** “AN INDUCEMENT RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE EXECUTION AND DELIVERY BY OCONEE

**COUNCIL MEMBERS**

Julian Davis, III, Chairman, District IV    Paul Cain, Vice-Chair, District III  
John Elliott, Chair Pro Tem, District 1    Wayne McCall, District II  
Glenn Hart, District V

COUNTY, SOUTH CAROLINA OF A FEE IN LIEU OF TAXES AGREEMENT WITH PROJECT URBAN MINE WITH RESPECT TO A PROJECT IN THE COUNTY WHEREBY THE PROJECT WOULD BE SUBJECT TO PAYMENT OF CERTAIN FEES IN LIEU OF TAXES, AND WOULD BE PROVIDED CERTAIN SPECIAL SOURCE CREDITS AGAINST FEE PAYMENTS; AND RELATED MATTERS.”

**Discussion Regarding Action Items**

**Authorize and direct the County Administrator to execute a Project Development Agreement between Johnson Controls and Oconee County for the purposes of investigating the development of an energy savings performance contract.**

**Council Committee Reports**

Real Estate, Facilities, & Land Management / Mr. Davis.....[08/18/2020]

**Board & Commission Appointments (IF ANY) [Seats listed are all co-terminus seats]**

- \*Building Codes Appeal Board.....1 At Large Seat**
- \*Board of Zoning Appeals.....District 5**
- \*Conservation Bank Board.....District 5 & 1 At Large Seat**
- \*Arts & Historical Commission.....District 4**

**\*No questionnaires on file for the seats listed above**

**Executive Session**

*[upon reconvening Council may take a Vote and/or take Action on matters brought up for discussion in Executive Session, if required]*

*For the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:*

- [1] Discussion regarding an Economic Development matter, Project Dolly.*
- [2] Discussion regarding an Economic Development matter, Project Aztec.*

**Adjourn**

Assisted Listening Devices [ALD] are available to accommodate the special needs of citizens attending meetings held in Council Chambers.

ALD requests should be made to the Clerk to Council at least 30 minutes prior to the meeting start time.

Oconee County Council, Committee, Board & Commission meeting schedules, agendas are posted at the Oconee County Administration Building & are available on the County Council Website.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

**COUNCIL MEMBERS**

- Julian Davis, III, Chairman, District IV    Paul Cain, Vice-Chair, District III
- John Elliott, Chair Pro Tem, District 1    Wayne McCall, District II
- Glenn Hart, District V

## OCONEE CODE OF ORDINANCES

### Sec. 2-61. - Access to and conduct at county meetings, facilities and property.

(a) *Purpose.* The county council has determined that it is necessary to regulate access to county facilities, grounds and property in order to ensure the safety and security of the public who visit these areas or the county employees who serve them. The conduct of persons who visit county facilities and/or who have contact with county employees must also be regulated to preserve public order, peace and safety. The regulation of access and conduct must be balanced with the right of the public to have reasonable access to public facilities and to receive friendly, professional service from county employees. These regulations apply to all county facilities and meetings, as defined below, for and over which county council exercises control and regulation, and to the extent, only, not preempted by state or federal law.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Facility* means any building, structure, or real property owned, leased, rented, operated or occupied by the county or one of its departments, offices or agencies.

*Meeting* means any assemblage of persons for the purpose of conducting county governmental business, operations or functions or any assemblage of persons within a county governmental facility. The term "meeting" includes, but is not limited to, county council meetings, county board and committee and staff meetings, trials, hearings and other proceedings conducted in the courts of general sessions and common pleas, family court, master-in-equity, probate court and magistrate's court; and other meetings by entities duly authorized by the county council.

(c) *Prohibited acts.* It shall be unlawful for any person to:

- (1) Utter loud, obscene, profane, threatening, disruptive or abusive language or to engage in any disorderly or disruptive conduct that impedes, disrupts or disturbs the orderly proceedings of any meeting, or operations of any department or function of the county government, including, without limitation, speaking when not explicitly recognized and authorized to do so by the presiding official in such meeting.
- (2) Bring, carry, or otherwise introduce any firearm, knife with blade longer than two inches or other dangerous weapon, concealed or not concealed, into any facility or meeting. This prohibition does not apply to law enforcement personnel or any other person whose official, governmental duties require them to carry such firearm, knife, or other weapon.
- (3) Engage in partisan political activity, including speech, in any meeting not authorized and called for the purpose of partisan political activity and explicitly authorized for such purpose in the facility in which such activity is to be conducted, or refusing to cease such activity when the presiding official of the meeting in question has ruled that the activity in question is partisan political activity and has directed that such activity stop.
- (4) Interfere with, impede, hinder or obstruct any county governmental official or employee in the performance of his duties, whether or not on county government property.
- (5) Enter any area of a county government facility, grounds or property when such entry is prohibited by signs, or obstructed or enclosed by gates, fencing or other physical barriers. Such areas include rooms if clearly marked with signs to prohibit unauthorized entry.
- (6) Enter by vehicle any area of a county governmental facility, grounds or property when such area is prohibited by signs or markings or are obstructed by physical barriers; or park a vehicle in such restricted areas; or park in a manner to block, partially block or impede the passage of traffic in driveways; or park within 15 feet of a fire hydrant or in a fire zone; or park in any area not designated as a parking space; or park in a handicapped parking space without proper placarding or license plate; or park in a reserved parking space without authorization.

- (7) Use any county governmental facility, grounds or other property for any purpose not authorized by law or expressly permitted by officials responsible for the premises.
  - (8) Enter without authorization or permission or refuse to leave any county governmental facility, grounds or other property after hours of operation.
  - (9) Obstruct or impede passage within a building, grounds or other property of any county governmental facility.
  - (10) Enter, without legal cause or good excuse, a county governmental facility, grounds or property after having been warned not to do so; or, having entered such property, fail and refuse without legal cause or good excuse to leave immediately upon being ordered or requested to do so by an official, employee, agent or representative responsible for premises.
  - (11) Damage, deface, injure or attempt to damage, deface or injure a county governmental property, whether real property or otherwise.
  - (12) Enter or attempt to enter any restricted or nonpublic ingress point or any restricted access area, or bypass or attempt to bypass the designated public entrance or security checkpoint of a facility without authorization or permission.
  - (13) Perform any act which circumvents, disables or interferes with or attempts to circumvent, disable or interfere with a facility's security system, alarm system, camera system, door lock or other intrusion prevention or detection device. This includes, without limitation, opening, blocking open, or otherwise disabling an alarmed or locked door or other opening that would allow the entry of an unauthorized person into a facility or restricted access area of the facility.
  - (14) Exit or attempt to exit a facility through an unauthorized egress point or alarmed door.
- (d) *Penalty for violation of section.* Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished in accordance with section 1-7. In addition, vehicles that are improperly parked on any county property, facility, or other premises may be towed at the owner's expense.

(Ord. No. 2003-04, §§ 1—4, 4-15-2003; Ord. No. 2012-06, § 1, 4-3-2012)

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
PROCLAMATION 2020-07**

**A PROCLAMATION HONORING MR. REGINALD "REG" THOMAS DEXTER,  
OCONEE COUNTY COUNCIL DISTRICT V REPRESENTATIVE**

**WHEREAS**, Reginald "Reg" Thomas Dexter, born on January 20, 1945, in New York City, New York, served as the Oconee County Council District V Representative and dedicated the later years of his life to the people of Oconee County; and,

**WHEREAS**, Mr. Dexter was married to Jaime Weiss Dexter and had three children. He was a retired school administrator who enjoyed traveling, gardening, swimming and boating; and,

**WHEREAS**, Mr. Dexter was elected in November 2008 as the Oconee County Council District V Representative, where he served a single term. During his tenure, Mr. Dexter served as Oconee County Council Chair, the Budget, Finance & Administration Committee Chair and on two Council Committees; and,

**WHEREAS**, Mr. Dexter also served on the South Carolina Appalachian Council of Governments and Oconee Economic Alliance Board of Directors; and,

**WHEREAS**, Mr. Dexter's commitment to bettering the lives of the citizens of Oconee County defined his role on County Council and guided many of his actions throughout the later years of his life. Mr. Dexter's was always above reproach and lauded by those who had the pleasure to know him as a true gentleman; and,

**WHEREAS**, Mr. Dexter's impact was far greater than his years of service on County Council and influenced all areas of the County. Mr. Dexter was dedicated to helping others and Oconee County and its citizens are better for it; and,

**WHEREAS**, Mr. Dexter passed away on August 13, 2020, preceded in death by his daughters Katherine "Kady" Dexter Treadwell and Jessica Dexter.

**NOW, THEREFORE**, by Oconee County Council in meeting duly assembled, Oconee County hereby recognizes and honors Mr. Reginald "Reg" Thomas Dexter for his selfless years of service to the citizens of Oconee County and Oconee County Council.

**APPROVED AND ADOPTED** this 1<sup>st</sup> day of September, 2020.



OCONEE COUNTY, SOUTH CAROLINA

  
Julian Davis, III, Chairman of County Council

ATTEST:  
  
Katie D. Smith, Clerk to County Council

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-15**

**AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE CURRENT ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, AS PREVIOUSLY ASSIGNED AND RATIFIED BY ORDINANCE 2019-15 DATED MAY 21, 2019, SUCH CURRENT ASSIGNMENT FROM PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND SUCH CURRENT ASSUMPTION BY DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, AND CONFIRMED BY ITECH BUYER, LLC AS A CONTINUING CO-SPONSOR, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH CURRENT ASSIGNMENT AND ASSUMPTION AND CURRENT CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED THERETO.**

WHEREAS, Oconee County, South Carolina (the "County") acting by and through its County Council (the "County Council") is authorized and empowered under and pursuant to the provisions of the Fee in Lieu of Tax ("FILOT") Simplification Act, Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (the "FILOT Act") to consent to, or ratify, a transfer of an interest in an existing FILOT, or fee, agreement; and

WHEREAS, ITECH SOUTH, LLC, a North Carolina limited liability company (the "Original Company Co-Sponsor"), EUGENE CARLTON MORRIS and JUNE COPELAND MORRIS, husband and wife (together, the "Original Real Estate Co-Sponsor"), and the County were parties to that certain Amended Fee Agreement dated as of December 1, 2017 (the "Original Fee Agreement"); and

WHEREAS, as of April 16, 2019 pursuant to an Assignment and Assumption of Interest in Fee Agreement (the "2019 Assignment"; the Original Fee Agreement as amended thereby being the "Fee Agreement"), the Original Real Estate Co-Sponsor and the Original Company Co-Sponsor assigned to PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, an Ohio limited liability company (the "Current Assignor"), and ITECH BUYER, LLC, a Delaware limited liability company (the "Company Co-Sponsor"), respectively, all of their interests in the Original Fee Agreement, and, in connection therewith, the Current Assignor and the Company Co-Sponsor assumed all obligations of the Original Real Estate Co-Sponsor and the Original Company Co-Sponsor, respectively, under the Original Fee Agreement, including without limitation the Original Real Estate Co-Sponsor's and the Original Company Co-Sponsor's obligations to indemnify the County and certain other Indemnified Parties (as such term is defined in the Original Fee Agreement) pursuant to Section 4.11 thereof; and

WHEREAS, on or about August \_\_, 2020 pursuant to an Assignment and Assumption of Interest in Fee Agreement dated on or about such date (the "Current Assignment"), (i) the Current

Assignor intends to assign to Diversified Industrial Properties, LLC, an Illinois limited liability company (the “Current Assignee”), all of its interests in the Fee Agreement, and, in connection therewith, the Current Assignee will agree to assume all obligations of the Current Assignor under the Fee Agreement, including without limitation Current Assignor’s obligations to indemnify the County and certain other Indemnified Parties (as such term is defined in the Fee Agreement) pursuant to Section 4.11 thereof; and (ii) the Company Co-Sponsor will remain, and confirm in the Current Assignment that it remains, a co-Sponsor under the Fee Agreement and its obligations continue to indemnify the County and certain other Indemnified Parties (as such term is defined in the Fee Agreement) pursuant to Section 4.11 thereof; and

WHEREAS, Current Assignor, Current Assignee and the Company Co-Sponsor seek the County’s prior approval or subsequent ratification of the Current Assignment pursuant to the Fee Agreement and the provisions of Section 12-44-120(D) of the FILOT Act, and the County’s co-execution and delivery of the Current Assignment.

NOW, THEREFORE, IT IS HEREBY ORDAINED, by the County, acting by and through its County Council, in meeting duly assembled, as follows:

Section 1. The County approves, ratifies and confirms its consent to the above-referenced Current Assignment from Current Assignor to Current Assignee, under and subject to all terms and conditions stated in the preamble hereto, all of which are hereby agreed to as the findings of fact for this transaction.

Section 2. The County hereby ratifies and approves of any action heretofore or hereafter taken by the County Administrator with respect to the approval of and consent to the Current Assignment from Current Assignor to Current Assignee.

Section 3. The Chairman of County Council is hereby authorized and directed to execute the assignment, a copy of which is attached hereto, on behalf of the County; the Clerk to County Council is hereby authorized and directed to attest the same; and, the County Administrator is hereby authorized and directed to deliver the same to the other parties thereto.

Section 4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

Section 5. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

Section 6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.



Done in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Julian Davis, III, Council Chair  
Oconee County, South Carolina

ATTEST:

By: \_\_\_\_\_  
Katie D. Smith, Clerk to Council  
Oconee County, South Carolina

First Reading: September 1, 2020

Second Reading: \_\_\_\_\_, 2020

Public Hearing: \_\_\_\_\_, 2020

Third Reading: \_\_\_\_\_, 2020

## ASSIGNMENT AND ASSUMPTION OF INTEREST IN FEE AGREEMENT

This Assignment and Assumption of Interest in Fee Agreement (this "Assignment") is made effective as of this \_\_\_ day of August, 2020 (the "Effective Date") by and between ITECH BUYER, LLC, a Delaware limited liability company (the "Company Co-Sponsor"), PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, an Ohio limited liability company (the "Assignor"), and DIVERSIFIED INDUSTRIAL PROPERTIES, LLC, an Illinois limited liability company (the "Assignee"), with Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State") consenting to the Assignment, as a party to the FILOT Agreement (as defined herein).

### RECITALS

The County and the Company Co-Sponsor and the Assignor are parties to that certain Amended Fee Agreement, dated as of December 1, 2017, as assigned to and assumed by the Company Co-Sponsor and the Assignor on April 16, 2019 and ratified by the County under Ordinance No. 2019-15 (as assigned and assumed, the "FILOT Agreement"), with respect to that tract or parcel of land and improvements thereon located at 7090 South Highway 11, Westminster, Oconee County, South Carolina and being more particularly described in the FILOT Agreement (the "Facility Site"). All capitalized terms used herein and not otherwise defined shall have the meanings set forth in the FILOT Agreement.

On even date herewith the Assignor has sold and conveyed to the Assignee the Facility Site and the Company Co-Sponsor continues to occupy and maintain its assets and operations thereon.

The Assignor wishes to transfer and assign to the Assignee all of its rights, title, interests and obligations in, to and under the FILOT Agreement, and the Assignee wishes to accept and assume all rights, title, interests and obligations of the Assignor arising after the date hereof under the FILOT Agreement, and the Company Co-Sponsor wishes to confirm its continuing title, interests and obligations under the FILOT Agreement and its acceptance of Assignee as its co-sponsor under the FILOT Agreement, and the County wishes to signify its consent to or ratification of such assignment and assumption and continuation.

**NOW, THEREFORE**, for and in consideration of the foregoing recitals, which are incorporated herein, the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each party hereto, Assignor and Assignee hereby agree, the Company Co-Sponsor confirms, and the County consents to or ratifies as follows:

1. Recitals. The recitals are incorporated herein as if fully stated within the body of this Assignment.
2. Transfer and Assignment and Continuation. For good and valuable consideration, the Assignor hereby assigns, transfers, sets over and conveys to the Assignee from and after the date hereof, and the Assignee hereby accepts from and after the date hereof the right, title, interests and obligations of the Assignor in and to, the FILOT Agreement, and the Assignee hereby assumes all of the rights, title, interests and obligations of the Assignor under the FILOT Agreement arising

from and after the Effective Date. The Company Co-Sponsor hereby confirms its continuing right, title, interests and obligations as a co-sponsor under the FILOT Agreement and its acceptance of Assignee as its co-sponsor under the FILOT Agreement upon consummation of the foregoing assignment and assumption.

3. County's Consent to the Assignment. By execution and delivery hereof, the County consents to, or ratifies, as the case may be, the assignment and assumption and confirmation described herein.

4. Cooperation. Assignor and Assignee shall notify the South Carolina Department of Revenue of this Assignment to the extent required under the FILOT Agreement or applicable laws, including, without limitation, the preparation and delivery to the South Carolina Department of Revenue an amended S.C. DOR Form PT-443 (FILOT Reporting Form). If requested by Assignee, Assignor shall provide Assignee with copies of all prior filings made by Assignor to the South Carolina Department of Revenue with respect to the FILOT Agreement and shall execute any document reasonably requested by the South Carolina Department of Revenue allowing such department to release to Assignee copies of any prior filings made by Assignor to such department under the FILOT Agreement. Assignor and Assignee shall cooperate with each other in connection with any 2020 filing(s) due under the FILOT Agreement by any Sponsors.

5. Governing Law. This instrument shall be governed by and construed in accordance with the internal laws of the State of South Carolina, without reference to the conflicts of laws or choice of law provisions thereof.

6. Binding Effect. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns.

7. Counterparts. This Assignment may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which, when taken together, shall constitute but one and the same instrument.

8. Further Assurances. Assignor, Assignee and the Company Co-Sponsor shall take such further actions and enter into such further conveyances and documents as may reasonably be required in order to effect the provisions and intent of this Assignment.

[The remainder of this page was intentionally left blank.]

Each of Assignor, Assignee and the Company Co-Sponsor has caused this Assignment and Assumption of Interest in Fee Agreement to be executed as of the date first written above by him/herself, if he/she is an individual, or its duly authorized officer, if it is an entity.

ASSIGNOR:

PARKWAY REAL ESTATE HOLDINGS SOUTH  
CAROLINA, LLC, an Ohio limited liability  
company

By: \_\_\_\_\_  
Print Name: R. Alan Ridilla  
Title: Chief Executive Officer & President

ASSIGNEE:

DIVERSIFIED INDUSTRIAL PROPERTIES,  
LLC, an Illinois limited liability company

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

COMPANY CO-SPONSOR:

ITECH BUYER, LLC,  
a Delaware limited liability company

By: \_\_\_\_\_  
Print Name: R. Alan Ridilla  
Title: Chief Executive Officer & President

Oconee County, South Carolina, hereby consents to, or ratifies this Assignment and Assumption Agreement in accordance with the terms and provisions of the Act (as defined in the FILOT Agreement) and the FILOT Agreement.

---

Julian Davis, III  
Chairman, Oconee County Council

ATTEST:

---

Katie D. Smith  
Oconee County Clerk to Council

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-16**

**AN ORDINANCE AMENDING THE OCONEE COUNTY  
CONSERVATION BANK ORDINANCE, O.C. CODE  
SECTIONS 2-398 THROUGH 2-409.**

**WHEREAS**, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”);

**WHEREAS**, the County, acting by and through the County Council, is authorized by Section 4-9-30 of the South Carolina Code of Laws, among other sources, to create boards and commissions for the betterment of the County;

**WHEREAS**, Sections 2-398 through 2-409 of the Code of Ordinances contains terms, provisions, and procedures applicable to the County Conservation Bank (the “Conservation Bank Ordinance”);

**WHEREAS**, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County, and that there is a need to amend, specifically, the Conservation Bank Ordinance, and to affirm and preserve all other provisions of the Code of Ordinances not specifically or by implication amended hereby.

**NOW, THEREFORE**, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. The County Conservation Bank Ordinance is hereby revised, rewritten, and amended to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.
2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
4. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force.
5. This Ordinance shall take effect and be in full force from and after third reading and enactment by County Council

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

OCONEE COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Julian Davis, III  
Chairman of County Council

ATTEST:

By: \_\_\_\_\_  
Katie Smith  
Clerk to County Council

First Reading:           September 1, 2020  
Second Reading:       \_\_\_\_\_  
Third Reading:         \_\_\_\_\_  
Public Hearing:         \_\_\_\_\_

## DIVISION 9. - COUNTY CONSERVATION BANK

### Sec. 2-398. - Establishment of bank.

There is hereby established the Oconee County Conservation Bank in order to protect lands with significant natural, cultural and/or historic resources in Oconee County that meet the criteria set forth in section 2-403, by providing a financial incentive to willing landowners to convey either a conservation easement or fee simple title to eligible recipients (as defined herein).

(Ord. No. 2011-16, § I, 9-6-2011)

### Sec. 2-399. - Definitions.

"Application" means application to participate in the program addressed by this ordinance, including its grants.

"Bank or OCCB" for purposes of this division means the Oconee County Conservation Bank.

"Board" means the governing board of the bank.

"Conservation easement" means an interest in real property as defined by Chapter 8 of Title 27 South Carolina Code of Laws, the South Carolina Conservation Easement Act of 1991.

"Council or county council" means Oconee County Council.

"County" means Oconee County, South Carolina.

"Eligible OCCB recipient or recipient" means any of the following:

- (1) Oconee County;
- (2) A municipality in Oconee County;
- (3) An independent agency or commission in Oconee County whose mission directly relates to the conservation of lands and natural, cultural and historic resources;
- (4) A not-for-profit charitable corporation or trust authorized to do business in this state and organized and operated for natural resource conservation, land conservation, or historical preservation purposes, and having tax-exempt status as a public charity under the Internal Revenue Code of 1986, as amended, and having the power to acquire, hold, and maintain interests in land for these purposes;
- (5) Federal, state, and local agencies organized and operated for natural resource protection, land conservation, or historical preservation purposes.

"Interests in lands" means fee simple titles to lands or conservation easements on land.

"Land" means real property, including highlands and wetlands of any description.

(Ord. No. 2011-16, § II, 9-6-2011)

### Sec. 2-400. - Board.

(a) The bank will be governed by a seven-member board ("board") appointed by Oconee County Council in accordance with the following requirements and recommendations:

- (1) Each board member's primary residence shall be located in Oconee County; and
- (2) At least one of the appointed board members shall be from each of the county council districts; and
- (3) The council shall endeavor to appoint but not require candidates to be appointed as follows:
  - A board member or executive officer of a charitable corporation or trust authorized to do business in this state that is one of the following: (i) actively engaged in the acquisition of interests in land from voluntary sellers for the purposes of natural resource or land conservation in Oconee County; or (ii) is organized for historic or cultural preservation



purposes; or (iii) is an organization that represents hunting, fishing or outdoor recreation interests; and

- A board member who is an owner of rural real property who is actively engaged in the management and operation of forestlands, farmlands, or wildlife habitat; and
- A board member who is actively engaged in one of the following: (i) the real estate business; or (ii) the business of appraising forestland, farmland, or conservation easements; or (iii) the business of banking, finance or accounting; or (iv) a licensed attorney admitted to practice before the South Carolina Supreme Court with an emphasis in real estate or land use law.
- To the extent possible, all appointed board members should have a demonstrated background, experience, and interest in the conservation of lands with significant natural, cultural and/or historical resources.

(b) The initial terms of the at-large board members shall be for two years, the terms of the board members from county council district numbers 1, 3 and 5 shall be for three years, and the terms for the board members from county council district numbers 2 and 4 shall be for four years. Thereafter, all terms shall be for four years. All members may be reappointed. Vacancies shall be filled for the unexpired portion of the term.

(c) Members shall serve without compensation, but may receive such mileage and per diem as may be authorized and appropriated by Oconee County Council. The Board shall elect a chair and other officers as the Board deems necessary. The Board shall adopt rules and procedures to conduct its meetings, consistent with those used by county council.

(d) The board is a public body and its members are hereby expressly subject to, among other applicable laws and regulations, the South Carolina Ethics Act, and the South Carolina Freedom of Information Act, as amended, and shall perform their duties in accordance with their provisions.

(e) The board shall meet at least three times per year in regularly scheduled meetings and in special meetings as the chair may call, all open to the public (except for executive sessions when duly held in accordance with law). All meetings shall be conducted in accordance with the South Carolina Freedom of Information Act.

(f) The board shall report to council any member who, without adequate excuse such as documented illness, misses three consecutive meetings or a majority of meetings for any year.

(Ord. No. 2011-16, § III, 9-6-2011; Ord. No. 2015-017, § 1, 6-16-2015)

Sec. 2-401. - Board duties and responsibilities.

(a) The board is authorized to:

- (1) Award grants from the OCCB fund (defined herein) to "Eligible OCCB Recipients" for the purchase of land or interests in land that meet the criteria contained in section 2-403; and
- (2) Apply for and receive funding for the OCCB fund, for the bank, from federal, state, private and other sources, to be used as provided in this division; and
- (3) Receive charitable contributions and donations to the OCCB fund, for the bank, to be used as provided in this division; and
- (4) Receive contributions to the OCCB fund, for the bank, in satisfaction of any public or private obligation for environmental mitigation or habitat conservation, whether such obligation arises out of law, equity, contract, regulation, administrative proceeding, or judicial proceeding. Such contributions shall be used as provided for in this division.

(b) To carry out its functions, the bank shall:

- (1) Operate a program which includes:

- a. Developing a ranking system for applications for program participation, including grants, pursuant to the criteria contained in section 2-403;
  - b. Receiving grant and participation applications from eligible OCCB recipients pursuant to section 2-404;
  - c. Evaluating applications from eligible OCCB recipients for eligibility for grants and to participate in the program pursuant to section 2-404;
  - d. Reviewing and ranking applications from eligible OCCB recipients for grants and to participate in the program pursuant to the ranking system;
  - e. Recommending the approval of certain applications to county council pursuant to section 2-404;
- (2) Establish additional guidelines and procedures, consistent with this division, as necessary to implement this division; and
- (3) Submit an annual report to Oconee County Council concerning all matters addressed by this division.
- (c) The county administrator is directed to provide administrative resources and support needed to operate and manage the OCCB, other than financial resources and support, to the extent possible, and within existing resources of the county. When and if deemed appropriate by the board, the board may seek county council's approval to hire permanent staff, who will be county staff, reporting to the administrator.
- (d) Operating expenses of the bank may be paid out of the OCCB fund in accordance with Oconee County Policies and Procedures, and, as authorized and appropriated by county council, provided such expenses shall not exceed ten percent of the total annual OCCB funding amount. Notwithstanding any other provision of this division, Oconee County tax dollars shall not be used for the operation or purposes of the bank.
- (Ord. No. 2011-16, § IV, 9-6-2011)

Sec. 2-402. - OCCB fund.

The Oconee County Treasurer shall establish an account separate and distinct from all other funds appropriated by county council, called the Oconee County Conservation Bank Fund (the "OCCB fund"). The OCCB fund shall receive revenues as noted herein, and from the county according to one or more funding measures approved by Oconee County Council. The council acknowledges and agrees that county funding measures should be undertaken as soon as feasible, consistent with overall budget priorities of the county, in order to avoid escalating land costs and lost acquisition opportunities. The OCCB fund shall be used only for the purposes set forth herein. Funds donated to the OCCB by third parties shall not be re-directed by council.

(Ord. No. 2011-16, § V, 9-6-2011)

Sec. 2-403. - Criteria.

The board shall use the following conservation criteria in developing a ranking system for applications pursuant to section 2-401(b)(1).

- (1) Environmental sensitivity.
  - a. Presence of wetlands.
  - b. Frontage on USGS Blue Line Stream.
  - c. Water quality classification of such stream by the South Carolina Department of Health and Environmental Control.
  - d. Presence of threatened/endangered species.
  - e. Habitat suitable for threatened/endangered species.
  - f. Habitat suitable for native wildlife species.

- g. Extent of biological diversity.
- h. Presence of unique geological/natural features.
- (2) Percentage of property sharing a boundary with protected land.
- (3) Historic/cultural features.
  - a. Contains feature designated on the National Historic Register.
  - b. Contains feature eligible for the National Historic Register.
  - c. Contains historic/prehistoric structures.
  - d. Contains historic/prehistoric site or location of a historic event.
- (4) Percentage of property containing prime/statewide important soil types.
- (5) Extent of active farming on property and extent proposed to be kept as wooded land or farmland.
- (6) Extent of public visibility of property.
  - a. Visibility from public roads.
  - b. Visibility from public land.
- (7) Scenic view from property or preservation of general scenic nature of that part of county.
- (8) Extent of public access.
- (9) Location of property.
- (10) Threat of development.
- (11) Size of property.
- (12) Potential impact on water quality in wetlands or water bodies not on the property.

The board shall use the following financial criteria in developing the ranking system for applications for participation in the program and grants pursuant to subsection 2-402(b)(1).

- (1) Funding percentage of appraised fee simple or conservation easement value requested;
- (2) Amount of applicable partnerships, matching contributions, management agreements, management leases, and similar collaborations among state agencies, federal agencies, eligible OCCB recipients, and local governments, boards, and commissions;
- (3) No matching funds or other contributions are required to receive grants from the OCCB fund. However, the commitment of such other funds shall be a factor considered by the board in its evaluation and recommendation of the applications.

(Ord. No. 2011-16, § VI, 9-6-2011)

Sec. 2-404. - Program and procedures.

(a) Application.

- (1) An eligible OCCB recipient independently or in conjunction with the landowner may apply for a grant from the OCCB by submitting an application in accordance with the rules and procedures established by the board under and consistent with this division;
- (2) Within five business days of the submittal of an application to the OCCB, the eligible OCCB recipient must notify in writing all landowners adjacent to the subject property of the application. Within thirty (30) days of receipt of said notice, contiguous landowners and other interested parties may submit in writing to the board their views in support of or in opposition to the application.
- (3) Prior to the submission of its application, the eligible OCCB recipient must notify in writing the owner of the land that is the subject of the application of the following:
  - a. That interests in land purchased with OCCB funds result in a permanent conveyance of such interests in land from the landowner to the eligible OCCB recipient and its assigns;
  - and

- b. That it may be in the landowner's interest to retain independent legal counsel, perform appraisals, create surveys, and seek other professional advice; and

The application must contain an affirmation that the notice requirement of this subsection has been met, and the commitment of the landowner to convey title to or an easement on the property if grant funds are approved for the property, all signed by the landowner and duly notarized by a notary public of the State of South Carolina.

(4) In each application, the eligible OCCB recipient must provide information regarding how the proposal meets the criteria contained in section 2-403.

(5) For each grant application the applicant shall specify:

- a. The purpose of the application;
- b. How the application satisfies the criteria contained in section 2-403;
- c. The uses to which the land will be put;
- d. The party responsible for managing and maintaining the land; and
- e. The parties responsible for enforcing any conservation easement or other restrictions upon the land.

(6) Where an eligible OCCB recipient seeks an OCCB grant to acquire fee title to land, the eligible OCCB recipient must demonstrate both the expertise and financial resources to manage the land for the purposes set forth in its application. The board shall require an eligible OCCB recipient acquiring fee title to land to place a conservation easement on such property or include language in the deed to ensure that the property is permanently protected.

(7) Where an eligible OCCB recipient seeks an OCCB grant to acquire a conservation easement, the eligible OCCB recipient must demonstrate both the expertise and financial resources to monitor and enforce the restrictions placed upon the land for the purposes set forth in its application. The board shall evaluate each proposal to determine the qualifications of the proposed managing party and to determine whether the proposed management is consistent with the purposes set forth in the application.

(8) The board shall establish reasonable procedures and requirements to ensure that the personal information of eligible OCCB recipients and property owners is protected as permitted by the South Carolina Freedom of Information Act.

(b) Application review.

(1) The board shall accept three rounds of applications per calendar year in accordance with the following deadlines: April 1st, August 1st, and November 1st.

(2) The board shall evaluate each application according to the criteria contained in section 2-403 of this division and recommend approval of application and associated grants to county council based on how well the proposals meet these criteria. The more criteria a proposal satisfies, the higher priority it shall be given.

(3) The board shall evaluate each application and submit recommendations to county council within 90 days of each application deadline referred to in subsection (b)(1). The recommendation of an application may be for full approval, partial approval or disapproval.

(4) In recommending the awarding of a grant from the OCCB fund, the board shall set forth findings that indicate the items below. The board may delegate to one of its members this duty to write a report summarizing the board's findings. and delivering it to council.:

- a. How the application meets the criteria set forth in section 2-403;
- b. The purpose of the award and the use to which the land will be put;
- c. The party responsible for managing and maintaining the land;
- d. The party responsible for monitoring and enforcing any conservation easements or other restrictions upon the land;

e. How the parties designated in items c. and d. possess the expertise and financial resources to fulfill their obligations;

f. The availability of funds in the OCCB fund for the award;

g. Any other findings or information relevant to the award.

(5) County council shall take action on the board's recommendations within 30 days of the board's submission thereof. The council shall consider and vote on each recommendation individually. The council shall accept the recommendation of the board for the award of a grant unless (i) it is determined that there are not sufficient funds in the OCCB fund for the award or (ii) at least a majority of the council members present and voting vote to reject the recommendation. If the board's recommendation for the award of a grant is approved by council, the award shall be made and the transaction closed in accordance with subsection (c).

(6) The board may only authorize grants to purchase interests in lands at or below fair market value pursuant to a current (within twelve months of grant approval by county council), independent certified appraisal. The board may accept a market analysis update covering the time period from the date of the original appraisal to the present in the form of a letter prepared and signed by the original appraiser. Said market analysis update letter must be submitted to the board no later than thirty (30) days prior to the next scheduled board meeting. The board shall establish reasonable procedures and requirements to ensure the confidentiality of appraisals.

(c) Grant award.

(1) The board shall notify the eligible OCCB recipient of its recommendation and the action taken by county council on the application.

(2) If the board recommends the application in whole or in part and the recommendation is approved by county council in accordance with subsection (b)(5), the eligible OCCB recipient and the owner of the interest in the land identified in the application shall have a period of four months from the date of the county council's approval to decide whether to accept the award. Within fourteen (14) days of acceptance of the grant award the eligible OCCB recipient shall execute and record a grant agreement or memorandum thereof, which shall be in a form approved by the board. Said grant agreement shall include provisions for the indemnification and reimbursement of the OCCB for improperly used OCCB funds, or title issues or defects, perpetual monitoring and enforcement, and other actions pursuant to Section 2-405.

(3) The eligible OCCB recipient shall submit the following documents to the board prior to closing the transaction and the board and the county attorney or an attorney designated by the County Administrator on recommendation of the board shall review and approve the documents before OCCB funds can be disbursed:

a. A certified appraisal satisfying the requirements of subsection (b)(6);

b. A final draft of the conservation easement and/or deed, a final draft of the settlement statement, a final draft of the title insurance commitment and exceptions, and the grant agreement required pursuant to subsection 2-404(c)(2).

c. In order to identify potential liability pursuant to applicable state or federal environmental laws or regulations, a certified environmental hazard assessment shall be conducted on lands before the disbursement of OCCB funds for the acquisition of all interest in such lands except as provided below in subsection (c)(3)d.

d. An application for such interest in land shall qualify as a small grant application if the amount requested is less than \$30,000.00 or ten percent of the appraised fair market value of either the conservation easement or fee simple acquisition, whichever value is smaller.

The environmental assessment required in subsection (c)(3)c. shall be waived for

applications for interest in land qualified as a small grant, as defined herein, unless specifically required on a case by case basis by the board.

(4) The bank and eligible OCCB recipients receiving monies from the OCCB fund shall retain all records of acquisition of interests in land with OCCB funds including, but not limited to deeds, title documents, contracts, surveys, inventories, appraisals, title insurance policies, environmental assessments, and closing documents.

(5) The board shall disburse OCCB funds to eligible OCCB recipients and the closing shall occur after all applicable requirements of this section are fully satisfied, provided the closing shall take place no later than one year after the eligible OCCB recipient and owner of the interest in land decide to accept the award unless the board, for good cause shown, extends the deadline for a period not to exceed six months.

(6) No later than sixty (60) days after the day of closing, the OCCB grant recipient shall submit a report to the board describing how the OCCB grant funds were distributed or used and the status of the project. The report shall include supporting documentation, such as the closing settlement statement, disbursement statement, and the recorded conservation easement or deed.

(Ord. No. 2011-16, § VII, 9-6-2011)

Sec. 2-405. - Use of funds.

(a) Only eligible OCCB recipients may acquire interests in lands with OCCB funds.

(b) The bank may purchase an interest in land on behalf of Oconee County subject to the criteria contained in section 2-403.

(c) OCCB funds shall be used only by eligible OCCB recipients for the acquisition of interests in land, including closing costs. "Closing costs" shall include recording fees, deed transfer or documentary stamp fees, the costs of performing the work and providing the documentation required under subsection 2-404(c)(3), attorney's fees, and the cost of obtaining surveys or an updated market analysis pursuant to subsection 2-404(b)(6). The board shall have the discretion to allow the OCCB funds to be used solely for closing costs after considering the amount of the award, the value of the project, the amount of the closing costs, or other factors. In the event that OCCB determines that OCCB funds were spent for purposes other than those listed in this subsection or the grant agreement, the eligible OCCB recipient or property owner shall reimburse the OCCB in the amount of the improperly used funds, plus interest.

(d) All interests in land acquired with OCCB funds shall be held by the eligible OCCB recipient approved by the board to acquire the interest in land; except that an interest in land obtained with OCCB funds may be assigned from one eligible OCCB recipient to another upon approval of the board by majority vote. In the event that there is a mortgage on any property interest protected through the use of OCCB funds, the eligible OCCB recipient and property owner, if any, shall notify and inform the mortgagee or debt-holder that the mortgage will be subordinate to the conservation easement or conservation provisions in the deed. The eligible OCCB recipient shall copy the OCCB on the notice and information to the mortgagee.

(e) The owner of the fee simple title to property upon which a conservation easement was purchased with OCCB funds, whether the original owner that conveyed the conservation easement or a successor-in-interest, may reacquire and thereby terminate or extinguish that conservation easement, whether in whole or in part, only by complying with all of the following: (i) proving that the original conservation and/or historic values of the protected land have been lost or substantially impaired by factors beyond the owner's control, (ii) obtaining unanimous approval by the OCCB board, (iii) obtaining unanimous approval by county council, (iv) obtaining approval by the Oconee County Court of Common Pleas, and (v) making payment in cash to the OCCB fund of whichever is higher of the original fair market value or the current fair market value of the conservation easement, as determined by a certified appraisal paid for by the owner of fee simple title to the property.

(f) If an eligible OCCB recipient acquires fee simple title to land for conservation and/or historic purposes with OCCB funds, that land may not be sold, transferred, assigned, alienated, or converted to a use other than the use set forth in the grant award except by complying with all of the following: (i) proving that the original conservation and/or historic values of the protected land have been lost or substantially impaired by factors beyond the owner's control, (ii) obtaining unanimous approval by the OCCB board, (iii) obtaining unanimous approval by county council, (iv) obtaining approval by the Oconee County Court of Common Pleas, and (v) making payment in cash to the OCCB fund of whichever is higher of the original fair market value or the current fair market value of the protected land, as determined by a certified appraisal paid for by the eligible OCCB recipient.

(g) If any interests in lands that have been acquired by an eligible OCCB recipient with OCCB funds are extinguished, terminated, sold, transferred, assigned, alienated, or converted pursuant to subsections (e) and (f), the eligible OCCB recipient extinguishing, selling, transferring, assigning, alienating, or converting the interests in land shall replace them with the interests in land of substantially equal current fair market value, with any excess from the sale of the prior interests being used by contribution to the OCCB fund. The replacement land shall have the same or greater significance when evaluated under the criteria set forth in section 2-403. The board shall verify that suitable replacement interests in lands have been identified and will be obtained before authorizing that any interest in land purchased with OCCB funds be extinguished, sold, transferred, assigned, alienated, or conveyed. Where replacement in whole or in part is impossible, funds realized which are not used for replacement interests in land must be credited to the OCCB fund. Where funding for an original acquisition was from multiple sources, funds realized must be credited to the OCCB fund under this section in proportion equal to the contribution that OCCB funds made to the original acquisition.

(h) The eligible OCCB recipient or property owner shall notify the board in the event that a claim against the title to the property has been made.

(i) In the event that the title to the protected property interest is invalidated or otherwise found to be deficient, the board shall be reimbursed by the eligible OCCB recipient and/or owner in an amount up to the amount of the award approved by county council and disbursed to the eligible OCCB recipient.

(j) In the event that there is no conservation easement on a property funded by the OCCB, the County Administrator shall be responsible for ensuring that the owner of the property complies with the ordinance and for enforcing the provisions of the ordinance. The grant agreement shall specify that the County shall be able to access the property for monitoring and/or enforcement purposes.

(Ord. No. 2011-16, § VIII, 9-6-2011)

Sec. 2-406. - Eminent domain or condemnation proceedings.

OCCB funds may not be used to acquire interests in lands or other interests in real property through the exercise of any power of eminent domain or condemnation proceedings.

(Ord. No. 2011-16, § IX, 9-6-2011)

Sec. 2-407. - Recreational and economic use.

The provisions of this division shall not be construed to eliminate or unreasonably restrict hunting, fishing, farming, forestry, timber management, or wildlife habitat management, as regulated by the law of this state, upon lands for which interests in lands are obtained pursuant to this division. These and other traditional and compatible activities may be conducted, where appropriate, upon lands protected with OCCB funds.

(Ord. No. 2011-16, § X, 9-6-2011)

Sec. 2-408. - Conservation easements.

When OCCB funds are used to purchase a conservation easement on land, the conservation easement shall be the controlling legal document regarding what is and what is not permitted upon the land, how the land will be protected, and what rights are vested with the eligible OCCB recipient and its assigns which holds the conservation easement. If any inconsistencies or ambiguities arise between the provisions of this ordinance and the terms and conditions of the conservation easement purchased with OCCB funds, the terms and conditions of the conservation easement shall prevail. The eligible OCCB recipient shall have sole responsibility for monitoring the property subject to the conservation easement and for enforcing the terms and conditions thereof.

(Ord. No. 2011-16, § XI, 9-6-2011)

Sec. 2-409. - Historic properties.

The board may authorize up to ten percent of the annual OCCB appropriation to acquire interests in land that qualify solely as a historic or cultural feature according to the criteria contained in section 2-403.

(Ord. No. 2011-16, § XI, 9-6-2011)



**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
ORDINANCE 2020-17**

AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF RECREATIONAL VEHICLE PARK DEVELOPMENT STANDARDS; AND OTHER MATTERS RELATED THERETO.

**WHEREAS**, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (“County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (“County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

**WHEREAS**, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (“Code of Ordinances”), as amended;

**WHEREAS**, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County;

**WHEREAS**, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 32 of the Code of Ordinances, specifically Article IX, to hereinafter be titled “The Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina,” which is purposed to establish development standards for Recreational Vehicle Parks within the County;

**WHEREAS**, County Council has therefore determined to modify Article IX of Chapter 32 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

**NOW THEREFORE**, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Article IX of Chapter 32 of the Code of Ordinances shall hereafter be titled the *Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina*, and it is

hereby revised, rewritten, and amended by Attachment A, which is attached hereto and incorporated herein by reference.

2. County Council hereby approves and adopts Attachment A as the applicable land use provisions of the County in relation to Recreational Vehicle Park Standards and directs that it be codified in the Oconee County Code of Ordinances.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein, however, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning act, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

5. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Chapter 32, not amended hereby, directly or by implication, shall remain in full force.

6. This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by County Council.

**ORDAINED** in meeting, duly assembled, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

\_\_\_\_\_  
Katie D. Smith  
Clerk to Oconee County Council

\_\_\_\_\_  
Julian Davis, III  
Chair, Oconee County Council

First Reading:        September 1, 2020  
Second Reading:     \_\_\_\_\_  
Third Reading:        \_\_\_\_\_  
Public Hearing:        \_\_\_\_\_

2020-17 Attachment A

*Oconee County Code of Ordinances, Chapter 32, Article IX*

**The Recreational Vehicle Park Standards Ordinance of Oconee County, South Carolina**

**32-601 Intent**

To provide a safe, clean, and sanitary environment for occupants of recreational vehicle parks in Oconee County, South Carolina.

**32-602 Definitions**

“All-weather road” means a hard-packed and graded and/or graveled road that is passable by vehicles under both wet and dry weather conditions, is at least ten (10) feet wide, and is suitable for emergency vehicles to utilize regardless of weather, as determined by Oconee County Emergency Services.

“Dealer” means any person, firm, corporation, or business entity licensed or required to be licensed to sell new and/or used recreational vehicles to the retail public.

“Manufacturer” means any person, firm, corporation, or business entity that engages in the manufacturing of recreational vehicles.

“Minor recreational vehicle park”: Four (4) to nineteen (19) recreational vehicles or recreational vehicle spaces for rent on-site on any single parcel to be utilized as temporary living quarters for recreational, camping, or travel use.

“Major recreational vehicle park”: Twenty (20) or more recreational vehicles or recreational vehicle spaces for rent on-site on any single piece of property utilized as temporary living quarters for recreational, camping, or travel use.

“Ready to travel”: A recreational vehicle is ready to travel if it:

- a. Is on wheels or a jacking system;
- b. Is attached to the site only by quick-disconnect type utilities and security devices; and,
- c. Has no permanently-attached additions.

“Recreational vehicle” means a motorhome, travel trailer, fifth-wheel trailer, or folding camping trailer designed to provide temporary living quarters for recreational, camping, or travel use, as defined herein.

“Motorhome” means a self-propelled vehicle designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations. The unit must contain at least four of the following permanently installed independent life support systems which meet the NFPA 1192 Standard for Recreational Vehicles:

- a. a cooking facility with an on-board fuel source;
- b. a potable water supply system that includes at least a sink, a faucet, and a water tank with an exterior service supply connection;

- c. a toilet with exterior evacuation;
- d. a gas or electric refrigerator;
- e. a heating or air conditioning system with an on-board power or fuel source separate from the vehicle engine; or,
- f. an electric power system.

“Travel trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is of such size and weight as to not require a special highway movement permit when towed by a motorized vehicle.

“Fifth-wheel trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is of such size and weight as to not require a special highway movement permit when towed by a motorized vehicle equipped with a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

“Folding camping trailer” means a vehicle mounted on wheels designed to provide temporary living quarters for recreational, camping, or travel use that complies with all applicable federal vehicle regulations and is constructed with collapsible partial side walls that fold for towing by another vehicle.

“Recyclable materials” mean those materials which are capable of being recycled which would otherwise be processed or disposed of as solid waste.

“Solid waste” means any garbage, refuse, sludge, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, residential, mining, and agricultural operations and from community activities.

### **32-603 Authority**

Personnel employed by the County Administrator as zoning administrator or the zoning administrator's designee shall be vested with the authority to enforce and administer recreational vehicle park standards within the County.

### **32-604 Jurisdiction**

The regulations set forth in this article shall be applicable within the unincorporated areas of the County.

### **32-605 Exemptions**

- a. Dealers and manufacturers of recreational vehicles are exempt from the standards in this Article unless a portion of the dealer or manufacturing business meets the definition of a recreational vehicle park, as contained in this Article.
- b. Indoor or outdoor facilities that store recreational vehicles that are not being utilized to provide temporary living quarters for recreational, camping, or travel use on-site.

### **32-606 Existing recreational vehicle parks**

Recreational vehicle parks existing prior to the enactment of this Ordinance are exempt from this Article. Creation of new recreational vehicle sites in an existing recreational vehicle park will, however, be required to adhere to this Ordinance.

### **32-607 Solid waste and recycling facilities**

All recreational vehicle park owners and/or operators shall provide appropriate on-site solid waste and recyclable materials disposal receptacles. The recreational vehicle park owner and/or operator is responsible for transporting solid waste and recyclable materials from the recreational vehicle park to an appropriate disposal site, consistent with local, state, and federal law.” Removing solid waste and recyclable materials shall be done on a regular basis in order to avoid the attraction of pests or the development of other nuisances.

### **32-608 Wastewater**

All recreational vehicle park owners and/or operators are responsible for ensuring all recreational vehicles and recreational vehicle sites that are for rent follow all applicable DHEC standards. DHEC-approved wastewater facilities shall be included in the submission of plans for any recreational vehicle park if proposed or present.

### **32-609 Utilities**

Utility connections shall adhere to all local, state, and federal laws including any applicable building code standards.

### **32-700 Setbacks and height**

Setbacks and height regulations shall be determined by the underlying zoning district.

### **32-701 Ready to travel**

Recreational vehicles in recreational vehicle parks must be ready to travel, as defined in this chapter. Recreational vehicle parks containing recreational vehicles not ready for travel will be reviewed utilizing Chapter 32, Article VI “*Land Development and Subdivision Regulations*,” including the review process, road standards, traffic-impact studies, density, and all other applicable provisions of that ordinance chapter and corresponding local, state, and federal law, as applicable.

### **32-702 Parking and maneuverability**

All-weather roads and parking areas capable of accommodating recreational and associated vehicles will be provided by the park and reviewed by Oconee County Emergency Services prior to approval and construction. No recreational vehicle shall be parked or set up in any private or public right-of-way.

### **32-703 Access**

Permitted access to the recreational vehicle park from a state, County, or private road is as follows and must be included in the submission of plans for a recreational vehicle park:

- a. State road: Permit from South Carolina Department of Transportation;
- b. County road:
  - (1) Minor recreational vehicle parks: Permit from Oconee County Roads & Bridges;
  - (2) Major recreational vehicle parks: A traffic-impact study and the recommended improvements therein and a permit from Oconee County Roads & Bridges.
- c. Private road intersecting a County road:
  - (1) Major and minor recreational vehicle parks: Written permission from private road owners;
  - (2) Major recreational vehicle park: A traffic-impact study and the recommended improvements therein. Permit from Oconee County Roads & Bridges.

### **32-704 Park contact information**

For purposes of emergency contact, the owner and/or operator shall post up-to-date contact information for the park owner and/or operator. This posting shall be at a place within the park that is clear and conspicuous.

### **32-705 Application, review, and permitting process**

The following must be included with the application for a minor or major recreational vehicle park:

- a. An accounting of total acreage in the tract to be utilized, the number of proposed recreational vehicle parking spaces, and any existing and proposed accessory buildings and setbacks;
- b. Location of existing property lines, buildings, easements, road right-of-ways and other public ways contained within and adjoining the tract;
- c. Alignment, right-of-way width, and clarification of proposed roads;
- d. Map scale, north arrow, and date;
- e. Name, address, and telephone number of legal owner or agent;
- f. Location of watercourses and land subject to flooding based on a 100-year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
- g. The existing and proposed uses of land throughout the recreational vehicle park;
- h. Permits and method of water supply and wastewater treatment and other utility services;
- i. DHEC land-disturbance permits and storm-water permits if applicable;
- j. The proposed names of the recreational vehicle park and internal road system;

k. Applicable Zoning (including any applicable Overlay) designations;

l. Any other information the zoning administrator or his or her designee requests, as necessary to assist in the review process.

**32-706 Penalties**

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to \$500.00 or imprisoned for 30 days or both.

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
RESOLUTION 2020-07**

**AN INDUCEMENT RESOLUTION AUTHORIZING, UNDER CERTAIN CONDITIONS, THE EXECUTION AND DELIVERY BY OCONEE COUNTY, SOUTH CAROLINA OF A FEE IN LIEU OF TAXES AGREEMENT WITH PROJECT URBAN MINE WITH RESPECT TO A PROJECT IN THE COUNTY WHEREBY THE PROJECT WOULD BE SUBJECT TO PAYMENT OF CERTAIN FEES IN LIEU OF TAXES, AND WOULD BE PROVIDED CERTAIN SPECIAL SOURCE CREDITS AGAINST FEE PAYMENTS; AND RELATED MATTERS**

WHEREAS, Oconee County, South Carolina (the "County"), acting by and through its County Council (the "Council"), is authorized and empowered under and pursuant to the provisions of Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended (the "FILOT Statute"), to enter into agreements with any qualifying industry whereby the industry would pay fees-in-lieu-of taxes with respect to qualified projects; through which powers the development of the State of South Carolina (the "State") will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate or remain in the State and thus utilize and employ the manpower, products and resources of the State and benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally;

WHEREAS, the County is recruiting an investment in the County by Project Urban Mine (the "Company"), for the expansion of and improvements to the Company's existing manufacturing facility located in the County (the "Project");

WHEREAS, the County and the Company entered into a fee in lieu of tax agreement (the "Fee Agreement") in 2016, pursuant to which the Company has invested Seventy-Four Million, Nine Hundred Twelve Thousand, Two Hundred Fifty-Two and 39/100 Dollars (\$74,912,252.39) as of December 31, 2019;

WHEREAS, the County, to induce the Company to locate this Project in the County, has been asked to commit to the Company that the Council intends take certain actions and provide certain incentives, including entering into an amended and extended fee-in-lieu of taxes agreement through December 31, 2026 (the "Amended Agreement"), which would, if executed, provide for the payment of a fee in lieu of tax (the "FILOT") and certain benefits to the Company, if the Company locates the Project in the County;

WHEREAS, in exchange for the Amended Agreement, the Company has agreed to invest no less than Forty Million Dollars (\$40,000,000) of additional taxable investment within the County in a five (5) year period;

WHEREAS, the County desires to induce the Company to invest in the County by offering to provide a special source credit (the "SSC") of sixty-five percent (65%) of the Company's fee in lieu of tax liability for the Project in the Park for all FILOT payments pursuant to the Amended Agreement for investments since January 1, 2016, and through December 31, 2036, so long as the Company invests not less than Forty Million Dollars (\$40,000,000) in new, qualifying, taxable investment in the County by the end of the fifth (5<sup>th</sup>) year after the year of execution of the Amended Agreement, and maintains that investment for not less than ten (10) years, with not less than Twenty Million Dollars (\$20,000,000) of that new investment being maintained throughout the term of the Amended Agreement;



WHEREAS, the millage rate for the fee in lieu of tax was fixed at 215.0 mills for the term of the Fee Agreement was fixed pursuant to Section 12-44-50(A)(1)(b)(i) and such millage rate can be continued pursuant to the Amended Agreement;

WHEREAS, based solely on information provided by the Company to the County, the County has determined and found after considering all relevant factors and criteria as prescribed by law that the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation or other public benefits not otherwise provided locally; that the Project gives rise to no pecuniary liability of the County or any incorporated municipality or a charge against the general credit or taxing power of either; that the purposes to be accomplished by the Project, i.e., economic development, keeping of jobs, and addition to the tax base of the County, are proper governmental and public purposes; that the inducement of the location or expansion of the Project within the County and State is of paramount importance; and that the benefits of the Project are expected to be greater than the costs; and

WHEREAS, based solely on information provided by the Company to the County, the County has determined the Project would be a “project” and “economic development property” as such terms are defined in the FILOT Statute and that the Project would serve the purposes of the FILOT Statute.

NOW, THEREFORE, BE IT RESOLVED by the Oconee County Council that:

1. Subject to paragraph 3 below, if the Company locates the Project in the County and agrees to invests not less than Forty Million Dollars (\$40,000,000) of new taxable investment in the Project prior to December 31, 2026, and meets the other terms and conditions as may be requested by the County, then the County, upon request by the Company, hereby agrees to enter into the Amended Agreement that would, if executed, provide the Company with the benefits allowed pursuant to the Amended Agreement for twenty (20) years for each component of the Project placed in service during the extended “Investment Period” (as that term is defined in the FILOT Statute and the Amended Agreement), the calculation of the annual FILOT payments on the basis of an assessment ratio of six percent (6%), and a fixed millage rate of the rate applicable to the Project site pursuant to the fixed millage rate provided in the Amended Agreement which the Parties hereto acknowledge to be 215.0 mills.

2. Subject to paragraph 3 below, and the Company’s agreement to the various terms and conditions of the Amended Agreement, the County agrees to provide an SSC of sixty-five percent (65%) of the Company’s fee in lieu of tax liability for the Project and the economic development property previously invested pursuant to the Amended Agreement (but not retroactively), through the property tax year ending December 31, 2036, provided the Company agrees to and does invest not less than Forty Million Dollars (\$40,000,000) in new, qualifying, taxable investment in the County by the end of the fifth (5<sup>th</sup>) year after the end of the tax year of execution of the Amended Agreement, which investment by the Company will be maintained for not less than ten (10) years, with not less than Twenty Million Dollars (\$20,000,000) of that new investment being maintained for the remaining term of the Amended Agreement.

3. Subject to the provisions of the FILOT Statute and to final approval by the Council through enactment of an ordinance (the “Approving Ordinance”) and all other provisions applicable to a County’s “home rule,” the County Council Chair and other officials of the County as may be designated by the Approving Ordinance will be authorized, by and on behalf of the County, to enter into a fee in lieu of tax agreement with the Company containing the terms and conditions summarized in this Resolution, and other terms and conditions as may be authorized by the Approving Ordinance.

4. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This resolution shall take effect and be in full force from and after its passage by the Council.

5. It is the intention of the Council that this resolution shall constitute an inducement resolution with respect to the Project, within the meaning of the FILOT Statute.

[ONE SIGNATURE PAGE FOLLOWS]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]

**ADOPTED: September 1, 2020**

OCONEE COUNTY, SOUTH CAROLINA

---

Julian Davis III, Chairman  
Oconee County Council

(SEAL)  
ATTEST:

---

Katie Smith, Clerk to Council  
Oconee County Council



# Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large-Ex Office]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	John Elliott	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart	2019-2022	2017-2020	2019-2022	2017-2020	2019-2022	2017-2020	2019-2022	
							2019-2022	2017-2020	2019-2022	2017-2020	2017-2020								
							District I	District II	District III	District IV	District V								At Large
Aeronautics Commission	2-262	5 - 2	YES	n/a	YES	Jan - March	Randy Renz [3]	David Bryant [1]	Auby Perry [3]	Marion Lyles [1]	Ronald Chiles [2]	A. Brightwell [2]	Michael Gray [<1]						
Ag. Advisory Board	2016-17	5 - 2 - 1	YES	n/a	YES	Jan - March	Kim Alexander [1]	Doug Hollifield [<1]	Sandra Gray [2]	Ed Land [<1]	Amanda Callahan	Debbie Sewell [2]	Rex Blanton [1]						Kerrie Roach [1]
Arts & Historical Commission	2-321	5 - 2	YES	2X	YES	Jan - March	Aubrey Miller [1]	Libby Imbody [1]	Thomas Jones [<1]	VACANT	Mike Phillips	Daniel Dreher [1]	Suzette Cross [1]						
Board of Zoning Appeals	38-6-1	5 - 2	YES	2X	YES	Jan - March	Jim Codner [2]	Gwen Fowler [1]	Bill Gilster [2]	Marty McKee [<2]	VACANT	John Eagar [1]	Charles Morgan [<1]						
Building Codes Appeal Board		0-7	YES	2X	YES	Jan - March	Matt Rochester [2] Kenneth Owen [1]; Kevin Knight [1]; John Sandifer [1]			Joshua Lusk [1]; Osceola Gilbert [1] ; VACANT									
Conservation Bank Board	2-381	Appointed by Category Preferred		2X	YES	Jan - March	Laura Havran [1]	Andrew Smith [1]	D. Ryan Keese [1]	Marvin Prater [2]	VACANT	Emily Hitchcock [1]	VACANT						
Destination Oconee Action Committee																			
PRT Commission [members up for reappointment due to initial stagger]	6-4-25 2-381	Appointed by Industry		2X	YES	Jan - March	Shane Smith [1]; Andrew Conkey [1]; Kevin Evans [2]			Trey Barnett [1], Riley Johnson [1], Gregory Coutu [1]			Alex Butterbaugh [1]						
Scenic Highway Committee	26-151	0 - 2	YES	2X	YES	Jan - March						Scott Lusk [1]	Stanley Powell [1]						
Library Board	4-9-35 / 18-1	0 - 9	YES	2X	YES	Jan - March	Clifton Powell [<1, 1/7/2020]; Diane Smathers [1, 1/19]; Katherine Smith [1, 1/19]			B. Brackett [1/17][1]; A. Griffin [1/17][1]; K. Holleman [1/17][2]; L. Martin [1/17][2]; A. Suddeth [1/17][2]; C. Morrison [1/17][1]									
Planning Commission	6-29-310 32-4	5 - 2	YES	N/A	YES	Jan - March	Mike Smith [1]	Andrew Gramling [1]	Alex Vassey [2]	Frankie Pearson [1]	Stacy Lyles [1]	Gwen McPhail [2]	Mike Johnson [2]						
Anderson-Oconee Behavioral Health Services Commission	2-291	0 - 7	YES	2X	3 yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1] BHS contacts Council w/ recommendations when seats open												
Capital Project Advisory Committee (end 1.17)																			
Oconee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV												
Oconee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Mr. Paul Cain, Council; Ms. Amanda Brock, County Administrator; Mr. Sammy Dickson												
Ten At The Top [TATT]				NO	NO	January	Mr. Dave Eldridge												
ACOG BOD				N/A	NO	January	Council Rep: Mr. John Elliott [yearly]; 2 yr terms Citizen Rep: Mr. Julian Davis, Minority Rep: Marta Wahlen												
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]												

[#] - denotes term. [<2] denotes a member who has served one term and less than one half of an additional term making them eligible for one additional appointment.

[SHADING = reappointment requested - questionnaire on file] Denotes individual who DOES NOT WISH TO BE REAPPOINTED

***Bold Italic*** TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.

# Oconee County Council

Oconee County  
Administrative Offices  
415 South Pine Street  
Walhalla, SC 29691

Phone: 864-718-1023  
Fax: 864 718-1024

E-mail:  
[ksmith@oconeesc.com](mailto:ksmith@oconeesc.com)

John Elliott  
Chair Pro Tem  
District I

Wayne McCall  
District II

Paul A. Cain  
Vice Chair  
District III

Julian Davis, III  
Chairman  
District IV

J. Glenn Hart  
District V



The Oconee County Council will meet in 2020 on the first and third Tuesday of each month with the following exceptions:

- April, July, August, & November meetings, which will be **only** on the third Tuesday of each of the four months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat from 9:00 a.m. to 12:00 p.m. on Tuesday, February 11, 2020 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 5, 2021 in Council Chambers at which point they will establish their 2021 Council and Committee meeting schedules.

Oconee County Council will also hold a Budget workshop on Tuesday, March 10, 2020 in Council Chambers.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2020 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4 p.m. on the following dates: February 4, March 17, July 21, & October 6, 2020.

The Transportation Committee at 4:30 p.m. on the following dates: February 18, May 19, August 18, & October 20, 2020.

The Real Estate, Facilities, & Land Management Committee at 4 p.m. on March 17 and 4:30 p.m. on the following dates: June 16, September 15, & November 17, 2020.

The Budget, Finance, & Administration Committee at 4:30 p.m. on the following dates: March 10 [Budget Workshop], April 21, May 5, May 19, & June 2, 2020.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 3, June 2, September 1, & November 17, 2020.

The Oconee County Council will meet in 2020 on the first and third Tuesday of each month with the following exceptions: April, July, August, & November meetings, which will be only on the third Tuesday of each of the four months.

All Council meetings, unless otherwise noted, are held in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina.

Oconee County Council will also hold a Planning Retreat from 9:00 a.m. to 12:00 p.m. on Tuesday, February 11, 2020 in Council Chambers to establish short and long term goals.

Oconee County Council will also meet on Tuesday, January 5, 2021 in Council Chambers at which point they will establish their 2021 Council

#### ■ LEGAL NOTICES

#### LEGALS

and Committee meeting schedules. Oconee County Council will also hold a Budget workshop on Tuesday, March 10, 2020 in Council Chambers.

Additional Council meetings, workshops, and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2020 prior to County Council meetings on the following dates/times in Council Chambers located at 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health, & Welfare Committee at 4 p.m. on the following dates: February 4, March 17, July 21, & October 6, 2020.

The Transportation Committee at 4:30 p.m. on the following dates: February 18, May 19, August 18, & October 20, 2020.

The Real Estate, Facilities, & Land Management Committee at 4 p.m. on March 17 and 4:30 p.m. on the following dates: June 16, September 15, & November 17, 2020.

The Budget, Finance, & Administration Committee at 4:30 p.m. on the following dates: March 10 [Budget Workshop], April 21, May 5, May 19, & June 2, 2020.

The Planning & Economic Development Committee at 4:30 p.m. on the following dates: March 3, June 2, September 1, & November 17, 2020.

**PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**OCONEE COUNTY COUNCIL**

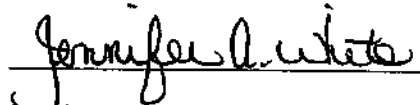
**IN RE: NOTICE OF MEETING SCHEDULE AND EXCEPTIONS FOR 2020**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/10/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.

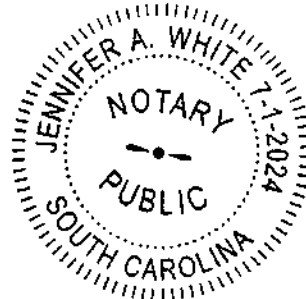


\_\_\_\_\_  
Hal Welch  
General Manager

Subscribed and sworn to before me this  
01/10/2020



\_\_\_\_\_  
Jennifer A. White  
Notary Public  
State of South Carolina  
My Commission Expires July 1, 2024





September 1, 2020

**Public Comment**  
**SIGN IN SHEET**  
**6:00 PM**

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

**PLEASE PRINT**

	<b>FULL NAME</b>	<b>PURPOSE OF COMMENT</b>
1	<i>Tom Markovich</i>	<i>Recreation Veh. Parks</i>
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



## General Fund FY 2020-2021 Budget Amendments

Department	Increase/(Decrease)
Sheriff Office (101)	258,000.00
Coroner (103)	8,750.00
Communication (104)	48,935.00
Detention Center (106)	267,845.00
Fire/Emergency Services (107)	950,000.00
High Falls Park (203)	(5,000.00)
South Cove Park (204)	20,000.00
Assessor (301)	21,000.00
Auditor (302)	17,000.00
Delinquent Tax Collector (305)	3,900.00
Treasurer (306)	6,000.00
Department of Social Services (402)	(8,000.00)
Health Department (403)	(8,000.00)
Veterans' Affairs (404)	2,250.00
Roads and Bridges (601)	2,500.00
Economic Development (707)	(58,647.00)
Information Technology (711)	50,000.00
Voter Registration and Elections (715)	5,000.00
Soil and Water Conservation District (716)	1,300.00
Administrator (717)	585,176.00
Solid Waste (718)	145,000.00
Airport (720)	78,935.00
Register of Deeds (735)	2,000.00
County Attorney (741)	30,500.00
<b>Total General Fund Increase</b>	<b>2,424,444.00</b>

General Government	721,876.00
Public Safety	1,533,530.00
Transportation	81,435.00
Public Works	145,000.00
Culture and Recreation	15,000.00
Health and Welfare	(13,750.00)
Economic Development	(58,647.00)
<b>Total By Function</b>	<b>2,424,444.00</b>

TUESDAY, SEPTEMBER 1, 2020

**Public Notice**

The Oconee County Council meeting scheduled for 6pm, Tuesday, September 1, 2020 will have changes to the Public Comment Session as indicated below. Due to the Novel Coronavirus pandemic and the ongoing state of emergency, in-person attendance at this Council meeting by members of the general public will be limited. Attendance will be limited to twenty percent of the stated maximum occupancy, which equates to thirty-four (34) persons (including Council members, other elected officials, and staff). Attendees will be required to sit in designated seats, appropriately spaced. In-person attendance will be allowed on a "first-come" basis. Please contact Katie Smith, Clerk to Council at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023 regarding the follow-

**LEGAL NOTICES**

**LEGALS**

ing: If you are unable to attend in person and have a comment you would like to submit, please contact our Clerk to Council to receive your comment and read into the record.

**PUBLISHER'S AFFIDAVIT**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE**

**OCONEE COUNTY COUNCIL**

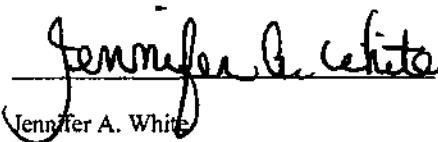
**IN RE: Public Notice Oconee County Council Meeting September 1**

**BEFORE ME** the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 09/01/2020 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



\_\_\_\_\_  
Hal Welch  
General Manager

Subscribed and sworn to before me this  
09/01/2020



\_\_\_\_\_  
Jennifer A. White  
Notary Public  
State of South Carolina  
My Commission Expires July 1, 2024

